

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

GILBERT MEDICAL BUILDING LLC,  
and AKY MD GILBERT, LLC,

Plaintiff,

v.

TRAVELERS CASUALTY INSURANCE  
COMPANY OF AMERICA,

Defendant.

Case No. 20-CV-896-R

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**SUBPOENA DUCES TECUM**

TO: A to Z Commercial Inspections  
c/o Registered Agent Jack Werner  
3625 N. McKinley Ave  
Oklahoma City, OK 73118

You are commanded to produce and permit inspection and copying of the following described documents/things at the offices of Butts and Marrs, PLLC, located at 5655 N. Classen Blvd., Oklahoma City, OK 73118 on October 15, 2021 by 5:00 p.m. In the alternative you may electronically provide all responsive documents to [ddowns@soonerlaw.com](mailto:ddowns@soonerlaw.com) or mail the same to Darrell Downs at Taylor, Foster, Mallett, Downs, Ramsey & Russell, PO Box 309, Claremore, OK 74018:

1. Any and all documents in your possession, custody, and/or control concerning any insurance claims made by Gilbert Medical Building, LLC or AKY MD Gilbert, LLC as to property located at 7530 NW 23<sup>rd</sup> St. Bethany, Oklahoma. This includes, but is not limited to, communications (including emails, transcripts, and text messages), reports, contracts, estimates, bills, bids, photos, memoranda (including internal), drafts of the preceding documents, and notes.
2. Any and all documents in your possession, custody, and/or control concerning any inspection, repairs, or maintenance activities of the Gilbert Medical Building located at 7530 NW 23<sup>rd</sup> St. Bethany, Oklahoma. This includes, but is not limited to, communications (including emails, transcripts, and text messages), reports, contracts,

estimates, bills, bids, photos, memoranda (including internal), drafts of the preceding documents, and notes.

3. Any and all documents in your possession, custody and/or control concerning any communications between Preston J. Dugas of the Preston Dugas Law Firm, LLC, and Terry McKeever and Alex Yaffe of the Foshee & Yaffe Law Firm and A to Z Commercial Inspections.
4. Photographs of any physical samples you have related to the above referenced insurance claim.
5. Any documents that reference the Gilbert Medical Building or property located at 7530 NW 23<sup>rd</sup> Street, not otherwise responsive to the preceding topics.

In order to allow objections to the production of documents and things to be filed, you should not produce them until the date specified in this subpoena, and if an objection is filed, until the Court rules on the objection.

#### **A. Instructions**

1. In responding to this Subpoena Duces Tecum, you are required to furnish all documents that are available to you, or that you may obtain by reasonable inquiry, including documents in the possession of your attorneys, accountants, advisors, or other persons directly or indirectly employed by, or connected with, you or your attorneys, or anyone else otherwise subject to your control. If you object to production of any document or category of documents, or any part of a document or category of documents, you are required to furnish the documents or categories of documents, or parts of documents or categories of documents to which you do not object.
2. The form or forms in which electronically stored information is to be produced is PDF.
3. If you object to the production of any of the documents or parts of the documents described above, then, in order to assist the court in ruling on your objection, with respect to each document that you do not produce:
  - (a) State the date and nature of the document;
  - (b) State the name of the person who wrote the document and, if it is a letter, the person to whom it was addressed;
  - (c) Describe the subject matter of the document;

(d) State the grounds of your objection; and

(e) State the name and business and residence address and telephone number of each person who has possession, custody, or control of the document.

**B. Definitions**

1. "You" or "your" refers to A to Z Commercial Inspections and any of its agents, employees, or representatives.
2. "Person" refers to any entity, including but not limited to any natural person, partnership, corporation, company, trust, estate, joint venture, or association of persons.
3. "Document" refers to any form of data compilation whether produced, reproduced, or stored on paper or electronically. A "document" includes, but is not limited to, writings, drawings, graphs, charts, photographs, motion picture films, phonograph records, tape and video recordings, records, computer files, emails, spreadsheets, and shall also include, but not be limited to, any draft or copy (with or without notes of changes thereon) of a writing or document.

Dated: September 29, 2021

Respectfully submitted,

**TAYLOR, FOSTER, MALLETT, DOWNS,  
RAMSEY & RUSSELL**

  
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